

BEFORE THE PERSONNEL APPEALS BOARD

STATE OF WASHINGTON

JOANNE SAMS,

Appellant,

v.

DEPARTMENT OF CORRECTIONS,

Respondent.

Case No. ALLO-04-0011

ORDER OF THE BOARD FOLLOWING
HEARING ON EXCEPTIONS TO THE
DETERMINATION OF THE DIRECTOR

Hearing on Exceptions. This appeal came on for hearing before the Personnel Appeals Board, BUSSE NUTLEY, Vice Chair, on Appellant's exceptions to the Director's determination dated July 16, 2004. The hearing was held at the office of the Personnel Appeals Board in Olympia, Washington, on November 16, 2004. GERALD L. MORGEN, Vice Chair, reviewed the record, including the file, exhibits, and the entire recorded proceedings, and participated in the decision in this matter.

Appearances. Appellant JoAnne Sams appeared by telephone and was represented by Joseph Kuhn, Teamsters Local 117. Respondent Department of Corrections was represented by Betty Renwick, Human Resource Consultant.

Background. Since 1998 Appellant held an Office Support Supervisor 1(OSS1) position with Department of Corrections. On April 1, 2003, Sherry Hartford, Human Resources Manager, informed Appellant that reorganization was taking place in the Medium Security Complex Clerical Unit. As a result of this action, Appellant's supervisory responsibility was removed, and her position (number 1059) no longer met the definition for OSS1. Ms. Hartford notified Appellant her position would be reallocated to Office Assistant effective May 1, 2003. The effective date was

1 later amended to June 16, 2003. On April 9, 2003, Appellant requested a review of this decision by
2 the Director of the Department of Personnel. On April 7, 2004, Paul Peterson, Personnel Hearings
3 Officer, conducted an allocation review. By letter dated July 16, 2004, Mr. Peterson informed
4 Appellant her position was properly allocated to the Office Assistant classification. Mr. Peterson
5 determined that because position number 1059 no longer performed supervisory duties, it could not
6 be allocated to the OSS1 class.

7
8 On August 11, 2004, Appellant filed exceptions with the Personnel Appeals Board.

9
10 **Summary of Appellant's Argument.** Appellant argues the agency erred when it prepared her
11 classification questionnaire (CQ) rather than allowing her to prepare it as required. Appellant
12 further argues the person who signed the CQ was not her immediate supervisor at the time the CQ
13 was signed. Appellant asserts there was no reorganization and the reason for the reclassification
14 was to take her supervisory duties away and assign them to another employee. Appellant asserts
15 the reason for removing her supervisory duties was to demote her and promote another employee.

16
17 **Summary of Respondent's Argument.** Respondent argues that the agency was within its
18 authority to initiate a new CQ after the duties of Appellant's position were significantly changed
19 due to a reorganization within the department. Respondent asserts Appellant was notified on April
20 1, 2003, that the department was going to reallocate her position downward, that the union brought
21 forward concerns regarding that decision, and that the agency suspended the implementation
22 process to allow for a union/management meeting. Respondent asserts that following that meeting,
23 the agency sent out notice that it was moving forward with the reallocation process. Therefore,
24 Respondent asserts it complied with the allocation process by giving appellant 30-days notice of the
25 impending changes and by giving Appellant a chance to respond. Respondent asserts that because

1 the position is assigned clerical duties, it is more appropriately allocated to the Office Assistant
2 classification and DOP's determination should be affirmed.

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4 **Primary Issue.** Whether the director's determination that Appellant's position is properly allocated
5 to the Office Assistant classification should be affirmed.

6
7 **Relevant Classifications.** Office Support Supervisor 1, class code 01013; Office Assistant, class
8 code 01010.

9
10 **Decision of the Board.** The purpose of a position review is to determine which classification best
11 describes the overall duties and responsibilities of a position. A position review is neither a
12 measurement of the volume of work performed, nor an evaluation of the expertise with which that
13 work is performed. Also, a position review is not a comparison of work performed by employees in
14 similar positions. A position review is a comparison of the duties and responsibilities of a particular
15 position to the available classification specifications. This review results in a determination of the
16 class which best describes the overall duties and responsibilities of the position. Liddle-Stamper v.
17 Washington State University, PAB Case No. 3722-A2 (1994).

18
19 WAC 356-10-030 addresses position allocations or reallocations. The rule requires positions to be
20 allocated to a class based upon the duties and responsibilities assigned and/or performed by the
21 position. When agencies have delegated allocation authority, the rule requires the agency to report
22 to the director of DOP any changes in duties, responsibilities, or organization in a position that may
23 affect the position's allocation. Agencies are to follow established procedures that allow individual
24 employees to request position reviews.

1 In this case, Appellant alleges the agency failed to follow appropriate allocating procedures;
2 however, there is no evidence to support the agency failed to adhere to WAC 356-10-30. Rather,
3 the record supports the agency complied with the rule by notifying the Department to Personnel of
4 changes in the duties and responsibilities of the position. Appellant also objects to numerous other
5 issues, including the agency's decision to reorganize and transfer her supervisory duties to another
6 position. The agency's decision to reorganize and transfer duties is left to the good faith judgment
7 of management and is not an issue properly before us. After a review of Appellant's CQ, we
8 conclude the duties and responsibilities of position number 1059 are best characterized as routine
9 clerical duties and are best described by the Office Assistant classification.

10
11 Appellant's position is properly classified as an Office Assistant, and her appeal should be denied.
12 The determination of the Director, dated July 16, 2004, should be affirmed and adopted.

13
14 **ORDER**

15 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Appellant is
16 denied and the Director's determination dated July 16, 2004, is affirmed and adopted.

17
18 DATED this _____ day of _____, 2005.

19 WASHINGTON STATE PERSONNEL APPEALS BOARD

20
21 _____
22 Busse Nutley, Vice Chair

23 _____
24 Gerald L. Morgen, Member

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26
Personnel Appeals Board
2828 Capitol Boulevard
Olympia, Washington 98504